

1909-060
Lee Co.

Chancery Causes: Lillie Allen Wilson vs. James H. Wilson

Burton, Shelbourne, Daugherty, Hess, Flenor, Terrell

CA: Divorce
T: Vices

To the Hon.H.A.W.Skeen,Judge of the Circuit Court for Lee,
County,Virginia:

Humbly complaining,your oratrix,Lillie Allen Wilson would
respectfully represent and show unto the court that:

I.

That she is now and has been for the twelve months next preceding the institution of this suit,a citizen of this (Lee) county and state of Virginia.

II.

That on the _____ day of January,1889 she intermarried with one James H.Wilson,who is also a citizen of said county and state.

III.

That she and her said husband lived and cohabited together as man and wife from the time of their said marriage until about as a result of the 7th day of March,1906,and ~~to~~ which said union there has been born to your oratrix three children,the two ~~one~~ younger of which are living,one a delicate girl child of 15 years,and a boy ~~five~~ five years old,and named respectively, Ferol and Harold.Since the said 7th day of March,1906,while they have lived in the same house and ate at the same board,your said oratrix and her said husband,have not cohabited as husband and wife,for reasons that will be hereinafter assigned.

IV.

Your oratrix does not pretend that during her married life she has been wholly faultless,or that she is free from the common infirmities of human nature,or that she is entitled to to any more consideration than other married women of her rank and station in life;but she does aver and charge that she has never given to her husband provocation to bad treatment,or that except when driven to desperation by his cruel,brutal and relentless conduct,she has been other a gentle and obedient wife.Yet the married life of your oratrix has been a very wretched and a very unhappy one,all caused as she feels and charges by the couse brutality,cruelty and infidelity of her said husband toward.her.

V.

That shortly after their marriage her said husband began to manifest his coarse nature, by lewd and lascivious cohabitation with one _____ Burton, an unmarried female, and that almost ~~in~~ under the very eyes ~~xxxxx~~ of his wife your oratrix and under the very roof that sheltered his family. This conduct was begun even ~~d~~ during the first year of your oratrix's married life. This conduct on the part of her said husband destroyed her confidence and almost destroyed her love for her said husband. And though she condoned the offense to a certain extent and afterwards cohabited with her said husband on his promise to never to be again guilty of the like again, yet he has never shown that tender care and consideration for her that a husband should show his wife, but on the other ~~hand~~ hand she could not begin to enumerate the acts of cruelty and inhumanity he has manifested towards her, in their private life.

Before the public he has usually been consideration and devotion itself, but in the privacy of home ~~he~~ treatment has ~~ben~~ been unbearable.

For some three months before your oratrix's last child, Harold, ~~was~~ was born, she was in a very bad state of health and in a helpless condition, so bad in fact that that it was impossible for her to turn herself in the bed, to get up without assistance when down, and it therefore became necessary for her call upon her said husband for assistance to turn in the bed or to arise. Yet, he knowing her delicate condition would ~~nurse~~ nurse her, jerk her, and otherwise abuse her in the most brutal and inhuman manner. All of which she bore with as much patience and humility as she was able under the circumstances, but she must admit that she could not after that have the respect and love for him that she previously had. His said treatment went on from bad to worse, until on the said 7th day of March 1906 he accused your oratrix of having committed adultery with other men, cursed ~~her~~ her for every thing ~~things~~ things

low that the tongue of man could utter. Assaulted her with a heavy fire shovel and threatened to kill her, and would then and there have killed her as she verily believes and charges, if he had

not been prevented. His conduct on that occasion so put your oratrix and her children in such fear of her life that she was forced to seek shelter for the night in the home of a neighbor and on the following morning she took her children and went to the home of her father, where she remained until the 6th day of April, 1906, when after entering into a written agreement with her said husband, she returned to the home of her said husband, with the hope that she might be able to live in some security and rear her children with credit and not have to subject herself to the notoriety of a divorce suit. A copy of the aforesaid contract is herewith filed marked exhibit "A" and prayed to be read and treated as a part of this ~~can~~ bill. But since her said return to her husband's home, his abuse has grown, if possible more violent, and your oratrix lives in constant fear of her life and the safety of her children. Scarcely a day passed over her head that he did not ^{during the last two weeks that she stayed at his home} not curse her, threaten ^{to put some one under the rock} to kill her, and accuse her of the basest offense that a wife could be guilty of, adultery. So gross and brutal has he again become that life is intolerable to your oratrix in his presence, and she has been forced to again seek safety and shelter at the home of her aged parents.

Your oratrix is also informed and here charges as true that her said husband has been guilty of adultery in the last five years without the connivance or consent of your oratrix, and that she has not cohabited with him since she learned of said adultery. Said acts of adultery on the part of her said husband occurred at Cincinnati, Ohio, in the Year 1906, and in neighborhood of Dot, Lee County, Va, on the 2 day of July 1907, and at ^{VI.} ~~divers other times and places.~~

Your oratrix has with her at present her two said children, but she is informed and charges that it is the intention of her said husband to carry away from her by force said children unless he is restrained from so doing. She also charges that her said husband is not a fit person to have the care and custody of said children. And that they would not be safe in his custody, and besides they

are so afraid of him that they are in constant terror of his carrying them away from your oratrix. The older child, is as your oratrix is informed, of such ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ age as to choose which of her parents she will stay, and that a court of equity will respect her election; the younger is of such tender years as to constantly, almost, need a mother's care.

Your oratrix feels that she owes to her children as well as to herself that she should ^{ask} the court's protection, and should through it obtain the means of support from her husband, the proper custody of her children, and exemption from his threats and the fear of his control, as well as some relief from the intolerable life she is ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ forced to live.

Your oratrix avers that she is without means of support, and is now upon the ^hcarity [^]of her parents and friends; that her husband the said James H. Wilson is a man of means, ^{owning} some four hundred acres of valuable grazing and farming lands on the ~~the~~ Rocky Station Creek, in Lee County, Virginia, adjoining the lands of F.K. Wilson and others, worth some ten or fifteen thousand dollars, some forty or fifty head of cattle, some eight head of horses and mules and other valuable person^{al} estate.

In consideration whereof, and for as much as your oratrix is remediless, save in a court of equity, she prays that the said James H. Wilson be made a defendant to this bill, and be required to ~~answer~~ answer the same but not on oath, that being waived; that he be restrained and enjoined from interfering with or in any way molesting your oratrix and her two children Ferol and Harold, who are with her; that your oratrix be given a divorce a vinculo matrimonii from her said husband; that he at once, and pending this suit, be compelled to pay such sums of money, as temporary alimony, as may be sufficient for the support of your oratrix and her children, and such other sums of money as may be required to pay costs of this suit and fees of counsel ^{proper} to be paid to carry on this suit; that he may be compelled to make such permanent provision for

for the support of your oratrix and her children as may be just and right, and to secure the regular, prompt and safe payment of the same in such way as may to the court appear effectual; and that all other further and general relief be afforded your oratrix as may be just and right in the premises. And she will ever pray, etc.

J. L. Noel p. q.

Virginia, Lee County, to wit:

I, Chas. C. Bales, a notary public for the county and state aforesaid hereby certify that Lillie Allen Wilson, personally appeared before me in my county aforesaid, and made oath that the allegations contained in the foregoing bill, which she makes of her own knowledge are true, and that all other matters therein stated she believes to be true.

Given under my hand this 9th day of July, 1907.

Chas. C. Bales

Lissie Allen Wilson
vs. Bice in Chancery
James H. Wilson

Filed July 23, 1909
H.C. P. Ewing, Clk.

Costs:

Clk.	\$5.36
Atty.	15.00
Shff.	1.00
Depo.	2.50
	<hr/>
	\$23.86
	1.50
Tax	<hr/>
	\$25.36

To the Hon.H.A.W.SKEEN, Judge of the Circuit Court for

Lee County, Virginia:

Humbly complaining, your oratrix, Lillie A. Wilson would respectfully represent and show unto the court:

That she is now and has been for more than twelve months next preceding the institution of this suit a citizen of Lee County Virginia.

That on the 12--day of Oct., 1907, she for the second time intermarried with one James H. Wilson, having been before that time divorced from him by a decree of your Honors Court. She was persuaded to remarry him through his earnest and oft repeated promises to be a true and loving husband to her, and on the account of her two young children. Your oratrix felt that he had repented of his former bad conduct, and that he intended to be a much cleaner ~~man~~ man and a more loving and devoted husband than he had been during their former marriage. But she soon found that she was again doomed to disappointment. He began abusing her in a very short time after she had remarried him, cursing her, threatening to kill ^{her}, going to ~~be~~ bed at night with a razor under his pillow, and otherwise intimidating her, until he made life for her almost unbearable, until finally she was compelled to take refuge at her fathers home.

That on the -----day of August, 1908, at his home in Lee county, Virginia, he committed the crime of adultery, without the consent, procurement or connivance of your oratrix; and He has at divers other times and places before ~~and~~ since that time been guilty of said offence without the consent, procurement or connivance of your oratrix. Your oratrix further represents that she has not cohabited with him since she learned of said adultery, nor has she in any way condoned said offence.

Being remediless, save in a Court of equity, the prayer of your oratrix is that the said James H. Wilson be made a party defendant to this bill, and that he be required to answer the same but he need not do so under oath, that being specifically waived;

that all proper processes be issued and orders entered; that upon a final hearing she be granted a divorce a vinculo matrimonii from the said James H. Wilson; and that he be compelled to pay to her attorney, J.C. Noel a reasonable sum for suit money, your oratrix being without means with which to pay an attorney and the court officers for their services; that all such other, further and general relief be afforded your oratrix as in the premises seem just and right, and she will ever pray, etc.

J.C. Noel J.C.

Lillie A. Wilson, Plff.

vs. In Chancery.

James H. Wilson, Deft.

1909 2nd August Rules
Bill filed, \$4.00
received

1909 1st Sept. Rules
Cause set for hear-
ing.

Costs:

Clk \$5.05

Shff. 2.50

atty 25.00

Comr. 2.25

Wits. 2.00

\$36.80

clerk 1.33

38.13

Lillie A. Wilson,

Plaintiff.

vs. In Chancery

James H. Wilson,

Defendant.

This cause came on this day to be finally heard upon the bill of the complainant, process duly executed and depositions of witnesses. The defendant, James H. Wilson not appearing to answer or demur to said bill and the court being of the opinion from the depositions of witnesses independent of the failure of the defendant to answer demur or lead to said bill of complaint that the plaintiff, Lillie A. Wilson has proven the charges in said bill to the satisfaction of the court, it is therefore adjudged, ordered, and decreed that the bonds of matrimony heretofore contracted between the plaintiff and defendant on the 12th day of October, 1907, be and the same is hereby annulled and dissolved and the said parties declared sole and single. It is further adjudged ordered and decreed that the plaintiff recover of the defendant the costs of this suit including an attorneys fee of \$ 25.00 to be paid to J. C. Noel, attorney for the plaintiff. It is further adjudged ordered and decreed that execution may issue for said costs and additional fee, And the cause is stricken from the docket.

Lillie A. Wilson

{ Decree Final.

Joe H. Wilson

Entered in C.O.B.
#8, page 492

Enter this decree.
Sept. 7, 1909.

Hawson
Judge.

Lillie Allen Wilson,

Plaintiff.

vs.

In Chancery.

James H. Wilson,

Defendant.

This cause came on this day to be finally heard upon the bill of complaint of the plaintiff, the exhibits filed therein, and the depositions of witnesses, and process duly executed. The defendant having neither answered or demurred to said bill of complaint, and was argued by counsel.

The court is of the opinion from the depositions of witnesses independent of the confessions or denial of the defendant that the plaintiff is entitled ^{to} a divorce A Vinculo Matrimoni. It is therefore, adjudged, ordered and decreed that the bonds of matrimony heretofore contracted and up to this time existing between the plaintiff and defendant are hereby dissolved, and each of the said parties declared sole and single. It is further adjudged ordered and decreed that the plaintiff be given the custody of the two children, Perol and Harold Wilson, during the entire length of the school term at Pennington Gap, Virginia, during the minority of each of the two children; and that the defendant be given the custody of the said children the remainder of each year, and that either parent, while said children are in the custody of the other, shall have the right to visit and see the said children.

It is further adjudged, ordered and decreed that the defendant pay to the plaintiff as permanent alimony Nine Hundred Dollars (\$900.00), to be paid in four equal annual installments dated from July 3rd, 1907, ^{to become due & payable Jan. 1st of each year} and that he further pay to the said plaintiff the sum of \$75.00 per year so long as said children shall remain in the custody of said plaintiff, and that he also pay the cost of this suit, and the sum of \$ 50⁰⁰, to J. C. Noel as suit money. Each and every one of these recoveries ^{shall} constitute a judgment against the said James H. Wilson, and if not paid by him as aforesaid execution may issue for each of said recoveries as the same becomes due.

It is further adjudged, ordered and decreed that each of said parties is barred from dower or courtesy in any estate of the other, and the decree rendered in the cause on the 23rd day of July, 1907, ^{*in vacatur*} is hereby annulled and set aside. And this cause is stricken from the docket.

Lillie Allen Wilson
vs J. L. Lawrence
James H. Wilson
Decree Final.

Entered in C.O.B.
#8, page 324

Enter Plus
Sept 19, 1907
Haw Shien

Lillie Allen Wilson

vs

James H. Wilson

} In Chancery.

This Cause came on this 23rd day of July 1907 in vacation at Big Stone Gap, Va. on Complainant's bill and prayer for said money, temporary alimony, and custody of the complainant's two children Feral Wilson and Harold Wilson, and was argued by counsel for complainant. In consideration of all which it is adjudged ordered and decreed that the defendant James H. Wilson be required to immediately pay to the complainant's counsel the sum of one hundred dollars for counsel fees and with which to pay costs to enable the complainant to prosecute her suit; and that he be further required to pay to said complainant two hundred dollars for temporary alimony for the support of said complainant and her said children during the pendency of this suit; and for which said sums for suit money, and temporary alimony executions may issue. It is further adjudged, ordered and decreed that the said defendant be enjoined and inhibited from molesting or interfering with said complainant and that the said complainant be given the custody of the two children Feral and Harold during the pendency of this suit; and that said defendant be and is hereby enjoined and inhibited from interfering with said custody during the pendency of said suit; and that he be restrained and inhibited from selling or otherwise disposing of his real estate during the pendency of said suit.

To
H. L. J. Ewing Clerk H. A. W. Siler Judge

Lillie Allen Wilson
vs { Vacation Deceit
James H. Wilson

Entered in C.D.B.
No. 8, page 301^{re}.
July 23, 1904.

The Depositions of S.E. Shelbourne, Robert Dugherty, John Hess
and Lizzie Fleenor.

taken before me, James W. Orr, a commissioner in Chancery for the
Circuit Court of Lee County/Virginia, at the law office of Orr
& Noel in the town of Jonesville on the 6th day of September 1900
pursuant to the Notice hereto annexed, to be read as evidence
in be half of the plaintiff in a certain suit in chancery depending
ing in the Circuit Court for Lee County, wherein Lillie A. Wilson
is plaintiff and James H. Wilson is defendant.

Present: J.C. Noel atty for Plff/

S.E. Shelbourne a witness of lawful age being duly sworn, deposes
and says:

Q. State your age, residence and occupation?

A. I am 57 years old, reside at Dot Lee County/Va., and am
a physician.

Q. Are you acquainted with James H. Wilson and Lillie A. Wilson.

A. ~~XXXXXXXXXXXXXXXXXXXX~~with
Yes, Sir.

Q. How near do you live to James H. Wilson?

A. Within about one and a half miles.

Q. State whether you have seen any improper conduct on the
part of the said James H. Wilson, with any woman not his wife,
within the past year, and if so please state what it was.

A. I have seen him riding in a buggy quite frequently with a girl
a girl that lives in the house with him; this conduct is so
frequent as to create comment in the community.

And further this deponent says I not.

S.E. Shelbourne

Witness: claims attendance one day. Paid by plaintiff. 50 cts/

Robert Daugherty, another witness of lawful age being duly sworn deposes and says:

Q. State your age, residence and occupation?

A. I am 19 years old, reside at Dot, Lee County Virginia, and am a farmer.

Q. Are you acquainted with James H. Wilson and Lillie A. Wilson, and if so how long have you known them.

A. I am. I have known them all my life.

Q. Within the last year, have you seen any improper conduct on the part of James H. Wilson, with any woman not his wife, if so what was *it*.

A. Yes? I had been working for him, and one night I ~~went~~ went to his barn to get a horse to ride to Pennington Gap., and found him and a Woman locked up together in the barn. I have frequently seen him hug and kiss a hired girl that lives ~~with~~ with him at his house. This has all been within a year.

And further this deponent sayeth not.

Robert Daugherty

John Hess, a witness of lawful age being duly sworn deposes and says:

Q. State your age, residence and occupation?

A. I am 49 years old, live near dot/and am a farmer.

Q. Are you acquainted with James H. Wilson the defendant in *this* suit.

A. I am.

Q. State any improper conduct you may have seen out of him and any woman not his wife during the past year.

A. I have seen him run around quite a lot with a hired girl that lives in the house with him; and have seen him pick at her person right frequently as though they were on right friendly terms. Their conduct has created quite a talk in the community, not favorable to their reputations.

And further this deponent sayeth not.
Witness paid for one day. *sdcts*

John Hess
mark

Lizzie Fleanor another witness of lawful age being duly sworn deposes and says:

1. State your age and residence.
- A. I am 18 years old and live near Dot/Lee County, Virginia.
2. Are you acquainted with James H. Wilson and Lillie A. Wilson the parties to this suit.
- A. Yes. I lived with them after their second marriage, for several months. After they separated the second time I lived on at his house for about three weeks.
3. State any improper conduct you may have seen out of James H. Wilson with any other woman than his wife, since ~~they~~ he married the second time.
- A. He tried to get me to have improper intercourse with him in about two weeks after he had married the second time. He tried to get me to go to his barn with ^{him} to have improper conduct. He treated his wife very mean, after she married him the second time. He cursed her and abused her, threatened to kill her. One night he sat for a long time with his razor in his hands, in the room where he and his wife stayed. He would look at his razor and then at his wife in such a way as to make me think he intended to kill her with ^{it} ~~him~~. She was so frightened about his conduct that night that she had me to bring my bed into the room and sleep in there.
- After he had driven his wife away by his bad treatment, the last time, myself and another girl lived at his house and ^{but in different beds,} and we slept in the same room together. One night he slipped into our room and got into the bed with the other girl.
4. Has his wife lived with him since the conduct you speak of in ~~his~~ your last answer, occurred?
- A. No sir.

And further this witness sayeth not.

Witness claims one day. Said by plaintiff.

Lizzie Fleanor

Virginia, Lee County, to-wit:

I, Jas. W. Orr, a Commissioner in Chancery in and for the Circuit Court for Lee County, Virginia, do certify that the foregoing depositions of S. E. Shelbourne, Robert Daugherty, John Hess and Lizzie Fleenor were taken, subscribed and sworn to before me at the time, place and for the purposes mentioned therein and in the caption thereto.

Given under my hand this 7th day of September, 1909.

James W. Orr
Commissioner in Chancery.

Lillie A. Wilson
vs. Depositions:

Geo. H. Wilson.

Filed Sept. 7, 1909.

H. C. J. Ewing
clerk.

Costs:

Comr.	\$2.00
Witnesses	2.00
Sheriff	2.00.

To James H. Wilson:

You are hereby notified that on Sat. September 7th, 1909.
at the office of J.C. Noel ^{over} in the town of ~~Pennington Gap~~ ^{Jonesville}, Lee
County, Virginia, between the hours of 9 o'clock A.M. and 4 o'clock P.M. of that day I shall proceed to take the depositions of
Hop Stout and others, to be read as evidence in my behalf in
a certain suit in Chancery, depending in the Circuit Court of
Lee County, Virginia, wherein I am the Plaintiff and you are the
defendant.

Respectfully,

Lillie Allen Wilson,

By J. L. Noel Counsel.

Willie A. Wilson
vs Notice
Jas H. Wilson

Executed by delivering
a True copy of the
with in notice to
J. H. Wilson - on Sept 6th
1907 This Sept 6th. 1907
- R. V. Sage Jr
for W. G. Tucker S. S. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting :

WE COMMAND YOU THAT YOU SUMMON

S. E. Shelbourn, J.
Hop S. Ford - and Willie Wilson, J.
James H. Hirs, John H. Hirs and R. L. Dingleberry, J.
for said J. *for said J.* *for said J.*

at the Office of H. W. Lee in
to appear before the Judge of our Circuit Court *in* of the County of Lee, at the court-house *Jonesville*
thereof, on the *7* day of *Sept - 1907* 189*9*, to testify and the truth to say
in behalf of the *Plaintiff*, in a certain matter of controversy in our said court
before the said Judge depending and undetermined between *Willie A.*

Wilson Plaintiff, and

James H. Wilson
Defendant . And this *day*

shall in no wise omit, under the penalty of £100. And have then there this writ.

H. C. Ewing,
Witness, A. B. Munsey, Clerk of our said court, at the court-house the *3rd* day of

Sept, 189*9*, and in the *34* year of the Commonwealth.

H. C. Ewing, Clerk

Willie A. Wilson

SUBPOENA

FOR

WITNESS.

U.S.

Jas. H. Wilson

Court,

the day of

189

Executed this 6th day of Sept., 1907
 by summoning all the within
 named witnesses to appear before
 J. H. Lutz Deputy for
 W. J. Tucker, J. C.

The depositions of J.N.Fleenor and Laurinda Terrell
taken before me, W.K.Hopkins a commissioner in Chancery for the
Circuit Court of Lee County, in the State of Virginia pursuant
to the notice hereto annexed, at the office of J.C.Noel in the
town of Pennington Gap in said county and state, ^{on the 18th day of September 1907} between the hours
of 5 and 8 o'clock P.M., to be read in evidence in behalf of the
plaintiff in a certain suit in equity depending in the Circuit
Court of Lee County, Virginia, wherein Lillie Allen Wilson is the
Plaintiff and James H.Wilson is the defendant.

Present:--J.C.Noel, Counsel for the Plaintiff.

J.N.Fleenor, a witness of lawful age being duly sworn, deposes
and says as follows:

Ques. State your age, residence and occupation?

Ans. I am 60 years old, am a farmer and live in the neighbor
hood of Dot, Lee County, Va.

Ques. Are you acquainted with James H.Wilson, the defendant in ~~th~~
this suit?

Ans. Yes, sir. Have known him for many years.

Ques. State whether you have known said James H.Wilson to have
sexual intercourse with any woman other than his wife
in the last five years, if so tell when and where?

Ans. Yes, to my satisfaction. One evening, about the 13th day of
July, 1907, I saw said James H.Wilson and a woman who bears
the name of Alewd woman in the neighborhood of where I live,
coming together horseback from toward Pennington Gap, and going
along the road leading from J.F.Witts store toward said Wilson's
home in the neighborhood of Dot, Lee County, Virginia; there was
a heavy rain that evening, and no one else had passed along that
way. I had a suspicion that these parties were not conducting
themselves properly. So I ^{tr}acked them by their horse ^e'foot prints
in the mud until they had got out into the cedars away from the
houses in the community, and saw where they dismounted from their
horses and had walked out from the road some 20 or 30 feet from ~~h~~
~~the road~~. There the sign showed very plainly where she had lain ~~d~~
down, on something like a coat. The woman's heel prints showed

plainly in the ground, and the prints of his knees and the toes of his ^h shoes where they had pressed into the grounds showed as plainly as they could be. In my judgment the ground could not have been torn up as it was if said parties had not have had sexual intercourse with each other. The prints and signs was bound to be made by said woman said James H. Wilson.

A few days after that I saw said Wilson riding along with this same woman. The general talk in that community is that said James H. Wilson and this same woman, Agnes Ball are continually cohabiting together.

And further this deponent sayeth not.

J. H. Fluor
may

Laurinda Terrell another witness of lawful age deposes ~~and~~ and says:

I am fifty two years old and I know the parties to this suit well having lived with them for several years. One day this summer I saw James H. Wilson sitting on the fence between his home and the home of his brother F. K. Wilson, as if he was looking or wait^ring for some one. Directly I saw Agnes Ball come riding down the road, and stop and speak to him. After talking with her from the fence a short while, he got down from the fence and wait^{ed} up to her, placed his left hand on her horse's mane, and engaged in low and earnest conversation with her. I saw him look toward the bushes and motion in that direction. I heard her say I cannot do that now, they tal^{ke}d on low and earnestly a little longer: he then went up the road in the direction of his brother's and she rode on toward her home. That night he left home and went in the direction of this woman's house, and stayed out until eleven or twelve oclock that night ~~ixxxxxxxkingxxxxx~~ why I saw the defendant and this wo^man talking in the road and observed their conduct, was because I was watching him. I saw this wo^man pass up the road by his home, look at him and smile. He motioned his hand ~~axxx~~ or waved it up the road in the direction in which she

was going. Mrs. Wilson, his wife was in bed sick. When the woman went on up the road, he went ⁴through the yard back of the house, crossed into the corn ~~corn~~ and slipped along then in the direction the woman had taken. This aroused my suspicion and I ⁶watched to see what he did. This ⁱⁿwoan bears the name of being a lewd woman, and is the mother of two children born out of wedlock.

The plaintiff has not cohabited with the defendant since she learned of his relations with this ^Ball woman. I was with her all the while after this until she left her home.

In March, 1906 I saw the defendant attempt to kill the plaintiff with heavy shovel, and would have struck her had I not caught the shovel, I have heard him curse and abuse her very often, calling her all kinds vile bad names and his cruelty has driven her from home twice.

And further this deponent sayeth not.

Laurinda ^{du} Terrell
_{mark}

Virginia, Lee County, to-wit:

I, W.K. Hopkins, a Commissioner in chancery for the Circuit Court of the county and state aforesaid do certify that the foregoing depositions of J.N. Fleenor and Laurinda Terrell were duly taken, sworn to and subscribed ~~to~~ before me at the place and time mentioned therein and in the caption thereto, pursuant to the annexed notice. Given under my hand this 18th day of September 1907.

W.K. Hopkins
Commissioner in Chancery.

Willie Allen Wilson
vs Deposition

James H. Wilson

Filed Sept. 19, 1904.

H. C. D. Cuming,
Clerk.

Costs.

Commissioner \$1.50

Witnesses 1.00

Total \$2.50

To James H. Wilson:

You are hereby notified that on Wednesday Sept. 18th/1907, between the hours of 5 ~~o'clock~~ and 8 o'clock, P.M., at the office of J. C. Noel, in the town of Pennington Gap, Va. I shall proceed to take the depositions of J. N. Fleenor and others to be read in evidence in my behalf in the chancery cause now pending in the circuit court of Lee County/Virginia, wherein I am the plaintiff and you are the defendant.

Lillie A. Wilson
By counsel

Legal service of the above
notice is hereby accepted, this
Sept. 17th 1907

James H. Wilson
by E. W. Pennington
Counsel

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon James H. Wilson

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the 1st Monday in August, 1907, to answer a bill in chancery exhibited against him
by Lillie Allen Wilson

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 23rd

day of July, 1907, and 132 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

July 25 1907

Lillie Allen Wilson

VS

SUBPOENA
IN
CHANCERY

James H. Wilson

J. C. Noel, p. q.

To 1st August

Rules

Lee Circuit
1907

Court

executed by
delivering a true
copy of the
within to
James H. Wilson
this July 25. 1907
J. F. Hughes D. S.
for W. M. Ball
H L C

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

James H. Wilson

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on

the 3rd Monday in August, 1909, to answer a bill in chancery exhibited against him

in our said Court by Lillie C. Wilson

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 13th

day of August, 1909, and 134 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Lillie A. Wilson

VS

SUBPOENA
IN
CHANCERY

James H. Wilson

Orr K Koels - p. q.

To 2nd August Rules
Lee Circuit Court

1909
Executed by delivering
a true copy of the within
notice to J. H. Wilson
This aug 16th 1909
G. V. Bage D S for
W. J. Tucker S L C